

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

AMAZON.COM, INC. AND AMAZON
DATA SERVICES, INC.,

Plaintiffs,

v.

Case No. 1:20-CV-484-RDA-IDD

WDC HOLDINGS LLC D/B/A NORTHSTAR
COMMERCIAL PARTNERS, BRIAN
WATSON, STERLING NCP FF, LLC,
MANASSAS NCP FF, LLC, NSIPI
ADMINISTRATIVE MANAGER, NOVA
WPC LLC, WHITE PEAKS CAPITAL LLC,
VILLANOVA TRUST, CARLETON
NELSON, CASEY KIRSCHNER, ALLCORE
DEVELOPMENT LLC, FINBRIT
HOLDINGS LLC, CHESHIRE VENTURES
LLC, 2010 IRREVOCABLE TRUST, SIGMA
REGENERATIVE SOLUTIONS LLC,
CTBSRM INC, RODNEY ATHERTON,
DEMETRIUS VON LACEY, RENRETS
LLC,

Defendants.

800 HOYT LLC,

Intervening Interpleader
Plaintiff, Intervening
Interpleader Counter-Defendant,

v.

BRIAN WATSON, WDC HOLDINGS, LLC,
BW HOLDINGS, LLC,

Interpleader Defendants,

And

AMAZON.COM, INC. and AMAZON DATA
SERVICES, INC.,
Interpleader Defendants,
Interpleader Counter-Plaintiffs.

**DEFENDANT RODNEY ATHERTON'S MEMORANDUM IN SUPPORT OF MOTION
TO FILE DOCUMENT UNDER SEAL**

Pursuant to Local Rule 5(C) and Section 11(e) of the June 4, 2020 Protective Order entered in this case (Doc. 55), Defendant Rodney Atherton files this Memorandum in Support of his Motion to File Document Under Seal. Atherton file this memorandum because his Memorandum in Support of Motion *in Limine* to Exclude Evidence of Unrelated Lawsuits references information designated as confidential by Plaintiffs.

Pursuant to Local Rule 5(C), the following are descriptions of documents designated by Plaintiffs as confidential, which are referenced in Atherton's Memorandum in Support of Motion *in Limine* to Exclude Evidence of Unrelated Lawsuits, necessitating that the Memorandum be filed under seal.

- Excerpts from the deposition testimony of Alex Moorhead, which was designated “confidential” under the Protective Order by Plaintiffs.

There are three requirements for sealing court filings: (1) public notice with an opportunity to object; (2) consideration of less drastic alternatives; and (3) a statement of specific findings in support of a decision to seal and rejecting alternatives to sealing. *Ashcraft v. Conoco, Inc.*, 218 F.3d 282, 288 (4th Cir. 2000). Atherton’s Motion to File Document Under Seal will be docketed publicly and, if required, set for hearing, thus providing public notice and a reasonable opportunity for interested parties to object. Only the references to confidential information have been redacted from the Memorandum; therefore, sealing the unredacted Memorandum is the least drastic alternative. And, with regard to the third factor, the parties specifically agreed to keep documents and information of this nature confidential, pursuant to the Agreed Protective Order.

Accordingly, and in satisfaction of the requirements of Local Rule 5, Atherton respectfully asks the Court to enter an Order sealing Atherton's Memorandum in Support of Motion *in Limine* to Exclude Evidence of Unrelated Lawsuits.

RODNEY ATHERTON

By Counsel

/s/ Julie S. Palmer

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C E R T I F I C A T E

I hereby certify that on 31st day of March, 2023, a true and correct copy of the foregoing has been served upon all parties of record via the ECF system and via email.

/s/ Julie S. Palmer
Julie S. Palmer